

Remarks

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

Amendments to the Drawings

On page 2 of the Office Action, the drawings were “objected to under 37 CFR 1.83(a).” These objections are mute since claims 17 and 18 have been canceled.

Amendments to the Specification

On page 3 of the Office Action, the specification was “objected to under 35 U.S.C. §112, first paragraph, as failing to teach how to make and/or use the invention, i.e., failing to provide an enabling disclosure” and “under 37 CFR 1.71 because it fails to provide an enabling disclosure teaching how to make the claimed invention”. These objections are mute since claims 17 and 18 have been canceled.

On page 4 of the Office Action, claims 17 and 18 were “rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement.” This rejection is mute since claims 17 and 18 have been canceled.

On page 4 of the Office Action, claim 12 was “rejected under 35 U.S.C. §112, second paragraph, as being incomplete.” This rejection is mute since claim 12 has been canceled.

On page 4 of the Office Action, claims 25 and 26 were “rejected under 35 U.S.C. §112, second paragraph, as being indefinite.” This rejection is mute since claims 25 and 26 have been canceled.

Status of All of the Claims

Below is the status of the claims in this application.

1. Claim(s) pending: 1, 2, 4, 5, 7-9, 13-16, 19-24, 27-32.
2. Claim(s) canceled: 3, 6, 10-12, 17, 18, 25, 26, 33-35.
3. Claim(s) added: None.
4. Claims withdrawn from consideration but not canceled: None.

It is believed that the above-identified amended claims are supported by the application as originally filed. For example, support for these claims can be at least found at pages 8-11 of the specification and FIGS. 1, 2, and 6 of the drawings.

Initially, the Applicant wishes to thank the Examiner for indicating that claims 23, 24, and 26 contained allowable subject matter on page 8 of the Office Action.

In that regard, the features of dependent claim 26 have been incorporated into independent claim 1, and claims 10, 25, and 26 have been canceled. As a result, claim 13, 19, 20, and 23 have been amended to update their dependency. Consequently, it is believed that independent claim 1 and its dependent claims are in condition for allowance.

It is also believed that amended independent claim 14 is in condition for allowance.

Interview Summary

The Applicants first wish to thank Examiner Sandy for the telephonic interview of November 14, 2007 concerning the above-identified application. At the interview, the cited reference, U.S. Patent No. 4,054,965 to Vig et al. (hereinafter “Vig”), was discussed. No agreement was reached between the Applicant and the Examiner.

Claim Rejections

Independent Claim 1

On page 5 of the Office Action, independent claim 1 was “rejected under 35 U.S.C. 102(b) as being anticipated by USPN 4,887,824 to Vig. et al. (U.S. Patent No. 4,054,965, cited by applicant).” Applicant has amended independent claim 1 to incorporate the limitations of original dependent claims 10, 25, and 26. As recognized in the Office Action, claim 26 was not anticipated by Vig and was indicated as allowable. Applicant respectfully requests withdrawal of the rejection.

Independent Claim 14

On page 7 of the Office Action, independent claim 14 was “rejected under 35 U.S.C. §103(a) as being unpatentable over Vic [sic] et al. (‘965) in view of Kramcsak, Jr. (U.S. Patent No. 2,799,514, having been cited of record).” Applicants respectfully traverse. Applicants submit that the cited references alone or in combination do not teach or suggest the claimed

invention. Applicant has amended independent claim 14 to include means to adjust the spacing between confronting surfaces of the two co-operable components.

Applicant respectfully submits that Vig does not teach means to adjust the spacing between confronting surfaces of the two co-operable components. Vig discloses a first permanent magnet 19 is fixed to a fork bracket top 15, a second permanent magnet 20 is fixed to the bearing plate 16, and a third permanent magnet 21 is fixed to the bearing plate 16 opposite magnet 20 (Col. 2, ll. 15-20). The three magnets are glued onto the base metal with contact cement adhesive (Col. 1, ll. 11-15). Vig does not disclose a means to adjust the spacing between the magnets 19, 20, and 21.

Applicant also respectfully submits that Kramcsak does not teach means to adjust the spacing between confronting surfaces of the two co-operable components. Further, Kramcsak does not disclose magnets.

Applicant submits that claim 14 is allowable for at least these reasons. Moreover, claim 14 is allowable for at least the reason that neither Vig nor Kramcsak disclose “means is provided to adjust the spacing between confronting surfaces of said two co-operable components.”

It should be understood that the above remarks are not intended to provide an exhaustive basis for patentability or concede the basis for the rejections in the Office Action, but are simply provided to overcome the rejections made in the Office Action in the most expedient fashion.

In view of the above amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and an early notice of allowance is earnestly solicited. If after reviewing this amendment the Examiner feels that any issues remain which must be resolved before the application can be passed to issue, the Examiner is invited to contact the undersigned representative by telephone to resolve such issues.

Respectfully submitted,

By /Elizabeth A. Shuster, #52,672 /
Elizabeth A. Shuster, Reg. No. 52672
Woodard, Emhardt, Moriarty, McNett & Henry LLP
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204-5137
(317) 634-3456